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[Additional counsel appear on signature page]

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

AMY WYNNE, individually, and on  
 behalf of a class of similarly situated  
 persons,

Plaintiff,

v.

AUDI OF AMERICA, AUDI OF  
 AMERICA, LLC, SANCTUS LLC, DBA  
 SHIFT DIGITAL, SHIFT DIGITAL, LLC,  
 VOLKSWAGEN GROUP OF AMERICA,  
 INC., and DOES 1-50 inclusive,

Defendants.

Case No. 4:21-cv-08518-DMR

**STIPULATION AND ORDER TO VACATE  
 HEARINGS IN LIGHT OF UPCOMING  
 MEDIATION**

Case No. 4:21-cv-09203-DMR

IN RE: VOLKSWAGEN GROUP OF  
 AMERICA, INC. DATA BREACH  
 LITIGATION

1 Plaintiff Amy Wynne in *Wynne v. Audi of America, et al.*, Case No. 4:21-cv-08518-DMR (the  
 2 “*Wynne Action*”), Plaintiffs John Hajny, Ricardo Villalobos, Anthony Service and Jeremy Adams in  
 3 *In Re: Volkswagen Group of America, Inc. Data Breach Litig.*, Case No. 3:21-cv-09203-DMR (the  
 4 “*In Re: Volkswagen Action*”) (collectively, “Plaintiffs”), Defendants Audi of America, LLC, Sanctus  
 5 LLC, DBA Shift Digital, and Volkswagen Group of America, Inc. (collectively, “Defendants” and,  
 6 together with Plaintiffs, the “Parties”), by and through their attorneys of record, hereby stipulate as  
 7 follows:

8 WHEREAS, on December 29, 2021, the Court related the *In Re: Volkswagen Action* to the  
 9 *Wynne Action* (*In Re: Volkswagen*, ECF No. 56; Declaration of Rachele R. Byrd filed herewith (“Byrd  
 10 Decl.”), ¶ 3);

11 WHEREAS, the Initial Case Management Conference (“CMC”) in the *In Re: Volkswagen*  
 12 Action has been set for March 3, 2022 at 01:30 PM (*In Re: Volkswagen*, ECF No. 29; Byrd Decl., ¶  
 13 4);

14 WHEREAS, the CMC in the *Wynne Action* has been set for June 22, 2022 at 01:30 PM (*Wynne*,  
 15 ECF No. 27; Byrd Decl., ¶ 5);

16 WHEREAS, plaintiff Wynne filed a motion to remand on December 1, 2021, and Defendant  
 17 Sanctus LLC, DBA Shift Digital filed an opposition on January 12, 2022. Plaintiff Wynne has not  
 18 filed a reply to date as the extended due date for her reply is February 23, 2022. The hearing on the  
 19 remand motion is scheduled for March 24, 2022, at 1:00 p.m. (ECF No. 44; Byrd Decl., ¶ 6);

20 WHEREAS, the Parties have met and conferred regarding potential early resolution and are  
 21 scheduling a mediation with Hon. Wayne Andersen of JAMS for May 18, 2022 (*id.*, ¶ 7);

22 WHEREAS, to conserve the resources of the Parties and the Court, the Parties submit that the  
 23 existing deadlines should be stayed until after the Parties’ upcoming mediation (*id.*, ¶ 8);

24 WHEREAS, this stipulation is made without prejudice to any party, in good faith, and not for  
 25 purposes of delay;

26 THEREFORE, IT IS HEREBY STIPULATED AND AGREED that, subject to Court  
 27 approval, the hearing on the motion for remand in the *Wynne Action* and the Initial CMCs in the *Wynne*  
 28 Action and in the *In Re: Volkswagen Action* shall be taken off calendar. The Parties shall jointly report

to the Court by June 13, 2022, as to the outcome of the mediation and recommend a schedule for either (1) any filings relating to a mediated settlement, *e.g.*, a consolidated complaint and/or a motion for preliminary approval of a settlement, or (2) for the completion of briefing and hearing on the *Wynne* motion to remand and the CMCs in these two related cases.

**IT IS SO STIPULATED.**

DATED: February 23, 2022

**RIGHETTI GLUGOSKI, P.C**

/s/ Matthew Righetti

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DATED: February 23, 2022

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DATED: February 23, 2022

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DATED: February 23, 2022

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*Attorneys for Defendants Volkswagen Group of  
America, Inc. and Audi of America LLC*

**ECF SIGNATURE ATTESTATION**

In accordance with Civil Local Rule 5-1(i)(3), the filer of this document hereby attests that  
the concurrence of the filing of this document has been obtained from the other signatories hereto.

DATED: February 23, 2022

/s/ Rachele R. Byrd

RACHELE R. BYRD

**ORDER**

PURSUANT TO STIPULATION, AND FOR GOOD CAUSE SHOWN, THE COURT  
ORDERS AS FOLLOWS:

The hearing on the motion for remand in the *Wynne* Action and the Initial CMCs in the *Wynne* Action and in the *In Re: Volkswagen* Action shall be taken off calendar. The Parties shall jointly report to the Court by June 13, 2022, as to the outcome of the mediation and recommend a schedule for either (1) any filings relating to a mediated settlement, *e.g.*, a consolidated complaint and/or a motion for preliminary approval of a settlement, or (2) for the completion of briefing and hearing on the *Wynne* motion to remand and the CMCs in these two related cases.

Dated: February 24, 2022

